



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	CHIOU	Examiner:	UNKNOWN
Serial No.:	10/727,376	Group Art Unit:	UNKNOWN
Filed:	DECEMBER 4, 2003	Docket:	14123.4US01
Due Date:	MARCH 4, 2003		
Title:	COMPOSITIONS AND METHODS FOR TOPICAL TREATMENT OF SKIN INFECTION		

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February __, 2004.

By: _____
Name: _____

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

23552

PATENT TRADEMARK OFFICE


Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement, Form 1449, 4 Reference(s)
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.
P.O. Box 2903, Minneapolis, MN 55402-0903
612.332.5300

By: 
Name: Ronald A. Daignault
Reg. No.: 25,968
RDaignault:PLStdM



S/N 10/727,376

PATENT

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INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. § 1.98(a)(2)(i), a copy of the U.S. patents listed on the enclosed Form 1449 are not provided, as this application was filed after June 30, 2003. A copy of any "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. § 1.98(a)(2).

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

BEST AVAILABLE COPY

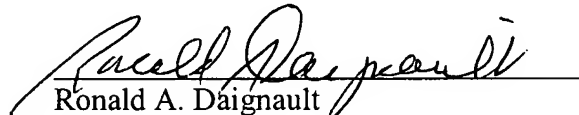
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.
P. O. Box 2903
Minneapolis, Minnesota 55402-0903
612.332.5300

Date 2/10/04


Ronald A. Daignault
Reg. No. 25,968
RAD:PLStdm



FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 14123.4US01	Application Number: 10/727,376
	Applicant: CHIOU	
	Filing Date: 12/04/2003	Group Art Unit: UNKNOWN

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,567,716	10/22/1996	Della Valle et al.			
	6,294,186 B1	09/25/2001	Beerse et al.			
	6,599,525 B2	07/29/2003	Scamilla Aledo et al.			

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
		PCT Patent Application No. PCT/US02/18223, filed June 7, 2002.
		Leyden, J. et al., "Erythromycin 2% gel in comparison with clindamycin phosphate 1% solution in acne vulgaris," <i>Journal of the American Academy of Dermatology</i> , Vol. 16, No. 4, pp. 822-827 (April 1987).
		Odom, R. et al., "Chapter 13: Acne," <i>Andrews' Diseases of the Skin, Clinical Dermatology</i> , Ninth Edition, pp. 284-306 and 509-520 (2000).
		Tierney, Jr., L. et al. (Editors), "Skin, Hair, & Nails," <i>2004 Lange: Current Medical Diagnosis & Treatment</i> , 43rd Edition, pp. 111-114 and 123-125 (2004).

23552 PATENT TRADEMARK OFFICE EXAMINER	DATE CONSIDERED
	EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.